

### **Chapter 3.6     1999 Plaintiffs' Waters Update**

There were 199 specific waters identified on a Plaintiff's List in the 1999 Consent Decree (Attachment B) that DEQ was required to list as impaired unless data verified they are not impaired. The 2002 303(d) Impaired Waters Report showed 98 of these segments impaired (Category 5A), 12 naturally impaired (Category 5C), 82 were delisted, and 7 were not yet assessed at that time.

Since the 2002 Report, all but one (Category 3A) of these remaining waters has been assessed. Six more were found to be impaired (104 total). Information of these additional waters can be found in the following table. As noted above, 12 of these waters were previously assessed as naturally impaired and 82 were delisted in 2002.

The remaining unassessed water, a segment on the Maury River in Rockbridge County, will be monitored then assessed in the next (2006) 305(b)/303(d) report.



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Attach. B Line	Waterbody	Stream	County/City	Station	Parameter	Comments
<b>Potomac River &amp; Shenandoah River Basins</b>						
138	VAV-B16R	North River	Augusta	1BNTH046.75	BIO	Fully Supporting in 2004 Assessment - (Slightly Impaired).
137	VAV-B12R	Middle River	Augusta	1BMDL036.08	BIO	Fully Supporting in 2004 Assessment - (Slightly Impaired).
133	VAV-B08R	Opequon Creek	Frederick, Winchester	1aOPE036.13	BIO	Fully Supporting in 2004 Assessment - (Slightly Impaired).
147	VAV-B37R	S.F. Shenandoah River	Rockingham, Page	1BSSF078.20	BIO	Not Supporting in 2004 Assessment - (Moderately Impaired).
<b>James River Basin</b>						
175	VAV-I37R	Maury River	Rockbridge	2-MRY005.58	BIO	Not Assessed in 2004 Assessment - (Slightly Impaired). Not sampled during the 2004 Assessment period.
<b>Chesapeake Bay/Atlantic/Small Coastal Basins</b>						
3	VAT-C08E	Lake Wright	Norfolk	Clean Lakes		Assessed 2004 - Full Support ALUS (City of Norfolk data approved 12/02/03)
<b>York River Basin</b>						
161	VAN-F06R	North Fork Hickory Creek	Louisa	8-HCN000.20	pH	Not Supporting in 2004 Assessment - This segment was identified in Attachment B of the Consent Decree dated June 11, 1999 (Plaintiff's List of Waters). The basis of the consent decree listing was data collected in the 1990's at DEQ monitoring station 8-HCN000.20 at Route 692. Two of 13 samples (15.4%) were outside of the pH criteria range in samples recorded between July 1, 1992, and June 30, 1997 at station 8-HCN000.20. Monitoring of this station was resumed in late 2003 with one sampling event occurring during the 2004 water quality assessment period. While there is insufficient data to assess this segment for the 2004 water quality assessment, the segment is listed for not supporting the Aquatic Life Use based earlier monitoring data collected by DEQ. The DEQ will continue to monitor this station in order to further evaluate the Aquatic Life Use support.